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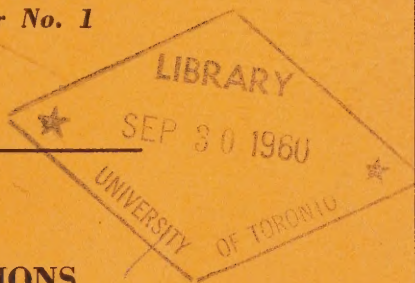
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BOARD OF TRANSPORT COMMISSIONERS FOR CANADA

[General publications]

TARIFF CIRCULAR 1-A

*Cancels Regulations in
Tariff Circular No. 1*



REGULATIONS

**Governing the Construction, Filing and Posting of
Freight Tariffs by Railway Companies.**

Prescribed by General Order No. 863 Dated June 7, 1960,
of the Board of Transport Commissioners for Canada

EFFECTIVE DECEMBER 1, 1960

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[Ottawa, Queen's Printer, 1960]

GENERAL ORDER NO. 863

TUESDAY, the 7th day of
JUNE, A.D., 1960.

ROD. KERR, Q.C.,
Chief Commissioner.

H. H. GRIFFIN,
Asst. Chief Commissioner.

J. E. DUMONTIER,
Deputy Chief Commissioner.

L. J. KNOWLES,
Commissioner.

J. M. WOODARD,
Commissioner.

W. R. IRWIN,
Commissioner.

IN THE MATTER OF regulations
governing the construction, filing
and posting of freight tariffs by rail-
way companies:

File No. 606

IT IS HEREBY ORDERED AS FOLLOWS:

1. The regulations attached hereto as Tariff Circular 1-A entitled "Regulations Governing the Construction, Filing and Posting of Freight Tariffs by Railway Companies" are prescribed for the use of railway companies, and for their properly authorized agents, that file freight tariffs with the Board.


2. General Order No. 669, Tariff Circular No. 1, Circular No. 273 and Special Permissions 3350, 3351, 3421, 3620, 3621 and 3808 are rescinded insofar as they are applicable to the freight tariffs of railway companies.

3. This General Order shall come into force on the date shown in the said Tariff Circular 1-A.

ROD. KERR,
Chief Commissioner,
The Board of Transport Commissioners for Canada.

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RULE 1—GENERAL PROVISIONS

(1) **Application of regulations:** The following regulations are prescribed under the authority of Sections 326, 327 and all other relevant provisions of the Railway Act. On and after December 1, 1960, all tariffs filed with the Board shall conform to these regulations. Unless the context requires otherwise, words used in these regulations in the singular include the plural and vice-versa.

(2) **Circumstances not covered by these regulations:** Where a precise rule in these regulations cannot be found to fit a particular set of circumstances, the Board may prescribe further regulations to fit such circumstances and an application should be directed to the Board for determination and ruling.

(3) **Reference to regulations:** The arrangement of these regulations is by rule number, paragraph and sub-paragraph. When referring thereto, the references to be quoted are, for example: "Rule 2 (1)" or "Rule 20(6)(c)."

(4) **Definitions:** Unless the context clearly indicates the contrary, the following terms used in these regulations mean:

- (a) **"Agent"**—A person, corporation, association or another railway company duly appointed in accordance with the provisions of Rule 31, to publish, issue and file tariffs of tolls on behalf of a railway company.
- (b) **"Class Rates"**—Rates applicable to classification ratings to which articles are assigned in a freight classification or exceptions thereto.
- (c) **"Classification"**—A tariff which assigns articles to class ratings; prescribes minimum weights; packing specifications; and other conditions of carriage.
- (d) **"Commodity Rates"**—All rates applicable to commodities, or groups of commodities, which are named or described in the tariff containing the rates.
- (e) **"Competitive Rates"**—All class or commodity rates that are issued to meet competition.
- (f) **"Joint Rate"**—A rate extending over the lines of two or more carriers.
- (g) **"Local Rate"**—A rate extending over the line of one carrier only.
- (h) **"Page"**—Includes Sheet.
- (i) **"Proportional Rate"**—A rate which is to be used only in conjunction with another rate to establish the through rate from origin to final destination.
- (j) **"Special Arrangements"**—Charges, allowances, absorptions, rules and regulations respecting car detention, cartage, demurrage, diversion, estimated weights, loading, protection, storage, switching, unloading, weighing and all other accessorial or special arrangements that in any way increase or decrease the charges to be paid on any shipment, or that increase or decrease the value of service to the shipper.
- (k) **"Tariff"**—Any publication containing tolls, absorptions, rules or regulations, or any complementary publications affecting in any way the tolls to be charged by a railway company. Unless the contrary is clearly indicated by the context, the term "tariff" includes revisions and amendments thereto, such as supplements and revised pages.

- (l) **"Through Rate"**—The total rate from origin to destination. It may be a local rate; a joint rate; or a combination of separately established rates.
- (m) **"Toll"**—Any toll, rate, charge or allowance made by a carrier in respect of the carriage of and accommodation for traffic, or in respect of any service incidental to the business of a carrier.
- (n) **"Traffic"**—Property to be transported.

RULE 2—BY-LAW AUTHORIZING ISSUANCE OF TARIFFS

(1) **By-laws to be submitted for approval:** By-laws or resolutions authorizing officers of the carriers to prepare and issue tariffs of tolls, concurrences or powers of attorney, shall be submitted to the Board for approval. Such by-laws or resolutions shall be submitted in the form and under the certification as follows:

I,.....(*name and title of officer*)....., of.....(*name of company*)....., do hereby certify that the following is a true copy of a by-law (or resolution) dated.....adopted by the Board of Directors of the said.....(*name of company*)... at a meeting held at the office of the company in....(*place*)..... on....(*date*)...., at which a quorum was present and voted:—

"The....(*title of officer*)...of the company is hereby authorized by this by-law (or resolution) to prepare and issue tariffs of the tolls to be charged by the company, concurrences or powers of attorney, and to submit the same to, and file the same with, the Board of Transport Commissioners for Canada, as required by the Railway Act.

"In witness whereof, I hereunto affix my hand and seal of the company this.....day of.....19.....

Name.....
Title....."

(Seal)

(2) **Freight and Passenger tariffs in same by-law:** Freight and passenger tariffs may be included in the same by-law or resolution.

RULE 3—FORM AND STYLE OF TARIFFS

(1) **Form and Size:** Tariffs shall be in book, pamphlet, single-sheet, or loose-leaf form, of uniform size, eight inches wide by eleven inches long, prepared in legible form by printing from type or by some duplicating process. Carbon copies, indistinct matter or typewritten pages will not be accepted for filing.

(2) **Alterations or erasures:** Alterations in the original text , or erasures, are not permitted in tariffs filed with the Board or in those posted for public inspection.

(3) **Numbering of tariffs:** Each issuing company or agent shall number its tariffs consecutively, beginning with 1, and each number shall be prefixed by the initials "CTC (F)". Where a tariff applies to both freight and passenger service, it shall show a CTC (F) number for the freight series and a CTC (P) number for the passenger series.

(4) **Numbering of pages:** The pages of tariffs shall be numbered with Arabic numerals, commencing with 2 for the first inside page on which printed matter appears. The title page shall constitute Page 1, but need not be numbered. (See Rule 6 as to numbering of pages of loose-leaf tariffs).

RULE 4—TITLE PAGE OF TARIFFS

(1) **Contents of Title Page:** The title page of every tariff shall show in the order and manner designated below:

- (a) **CTC(F) number and cancellation reference:** The CTC(F) number of the tariff in bold type in a prominent position in the upper margin and immediately thereunder, in smaller type, the CTC(F) numbers of tariffs cancelled thereby. If it is impracticable to show the cancelled numbers in such manner, they may be shown within the tariff and specific reference thereto placed on the title page.
- (b) **Name of carrier or publishing authority:** The name of the carrier or agent issuing the tariff.
- (c) **Initial and participating carriers:** The names of other initial carriers and also participating carriers. If such carriers are too numerous to place conveniently on the title page, they may be shown within the tariff and reference made on the title page where they may be found. (see also Rule 5(3)).
- (d) **Reason for issue:** The reason for issue in the upper margin above the issuing carrier's or agent's name, thus: "Increase", "Reduction", "New Rates", "Reissue", "No Change in Rates", etc.
- (e) **Kind of tariff:** Tariffs shall be designated as Class, Commodity, Competitive or Special Arrangements. Additional designations should state whether the tariff contains Local, Joint, Proportional or Basing rates, charges or regulations, etc., and should indicate the character of the tariff in order to disclose concisely the nature of the traffic or service it covers.
- (f) **Territory:** The points or territory from and to which the tariff applies in sufficient detail to disclose adequately the scope of the tariff.
- (g) **Reference to governing classification and other complementary or governing tariffs:** Reference by name and CTC(F) number to the governing classification and exceptions, if any, and to any other complementary or governing tariffs. A short, general reference to such tariffs may be substituted, provided reference is made to a numbered item or rule in the tariff which specifies by name and CTC (F) number such governing classifications, exceptions, if any, and other complementary or governing tariffs; for example: "Governed, except as otherwise provided herein, by (*here, insert common or popular names of governing or complementary tariffs*), as described in Item (or Rule) ———." If only part of the contents requires the use of such other complementary or governing tariffs, a specific provision therefor may appear in a prominent place within the tariff and the numbered item or rule shall give reference thereto.
- (h) **Issued and Effective Dates:** The date of issue in the lower left corner and the date effective in the lower right corner. Where more than one

effective date is involved, and cannot conveniently be shown on the title page, the notation "Except as otherwise provided herein", shall appear immediately below the effective date. (*see also* Rule 7(7)).

- (i) **Expiration date:** Where the tariff expires with a given date, such date shall be shown prominently in the following manner: "Expires with (date), unless sooner cancelled, changed or extended."
- (j) **Judgments, Orders or Special Permissions:** Reference in the lower margin to Judgments, Orders or Special Permissions of the Board, pursuant to which the tariff is issued. (*see* Rules 12 and 36).
- (k) **Issuing Officer:** The name, title and mail address of the Officer of the company or of the person responsible for the compilation and filing of the tariff. If issued by a corporation or association as agent, the name of such corporation shall be shown as well.

RULE 5—CONTENTS OF TARIFFS

(1) **Table of contents:** Tariffs shall contain a full and complete statement, in alphabetical order, showing where information, under general subject headings, will be found and shall specify the page, rule and item numbers applicable. If a tariff contains so small a volume of matter, that its title page or interior arrangement plainly discloses its contents, the table of contents may be omitted.

(2) **Explanation of multi-section tariffs:** Multi-section tariffs, containing more than two numbered or lettered sections, shall include, at the beginning of the tariff, a concise, clear statement of the nature and function of each section, its relationship to other sections and the method of procedure to be followed in using the tariff. It should not be encumbered with detailed qualifications and exceptions since these can be more appropriately stated in the rules and regulations governing the tariff.

(3) **Initial or participating carriers:** An alphabetical list of the corporate names of the initial carriers for and on behalf of whom the issuing carrier or agent acts by power of attorney shall be shown together with power of attorney numbers against each carrier's name. A similar alphabetical list of participating carriers and concurrence numbers shall be included. Such alphabetical lists may be omitted from the contents of tariffs, provided they are shown on the title page. Powers of attorney and concurrence numbers may also be omitted from such alphabetical lists, provided a list is filed with the Board in the form and manner specified in Rule 30(8).

(4) **Index of commodities:** Tariffs shall contain a complete, alphabetical index of all articles upon which commodity rates are named therein, with reference to each item (or page) where such article is shown. Different kinds or species of the same commodity shall be grouped together; for example, all items of coal as "Coal, Anthracite", "Coal, Bituminous", etc. No index is required where all the commodity rates are arranged in alphabetical order, but when rates on miscellaneous groups of commodities are included such commodities shall be listed separately and alphabetically indexed.

(5) **Index of stations:** An alphabetical index of stations from, and to which, rates or charges apply, showing province or state in which located, and rate basis number necessary to determine the applicable rate, shall be included in tariffs unless stations of origin and destination are shown alphabetically therein.

(6) **Geographical list of stations:** A geographical list of stations shall be shown in tariffs, or may be omitted in the following cases:

- (a) **Official list of stations:** Where reference is given by CTC (F) number to an official list of stations showing such information;
- (b) **Commodity tariffs:** In commodity tariffs when the stations are shown therein only in commodity items; and
- (c) **Specific commodity tariffs:** In specific commodity tariffs when stations are arranged alphabetically with applicable tolls being shown against each station listed therein.

(7) **Territorial group points:** Where rates are shown by territorial or group descriptions, the tariff must provide a complete alphabetical list of such points, together with the name of the line on which located, or refer by CTC (F) number to a tariff containing such list.

(8) **Information as to prepayment and station facilities:** Information as to prepay requirements, station facilities and restrictions as to non-acceptance and non-delivery of freight shall be included in tariffs, or may be omitted if reference is given by CTC(F) number to a separate tariff containing such information.

(9) **Rules governing the tariff:** Rules or other governing provisions, with the title or subject of each in distinctive type, shall be stated in explicit terms, so as to leave no doubt concerning their application to the rates and charges named in the tariff. Where a tariff is governed by rules published in another tariff, reference to such other tariff by CTC (F) number shall be shown therein.

(10) **Connecting reference in seasonal tariffs:** A reissue of a seasonal tariff shall show, immediately preceding the rules governing the tariff, a reference to the previous issue by CTC (F) number and such reference shall also state the date on which the previous issue expired.

(11) **Reference marks and abbreviations:** Tariffs shall contain explanations of the reference marks and abbreviations used therein, except that commonly used abbreviations of Province and State names may be omitted. The abbreviations of names of initial or participating companies may be explained in the list of such companies. Reference to where the explanation of reference marks or abbreviations is given shall be shown on all pages of the tariff where they are used, or the explanation itself may be shown on the page on which the reference mark is used. (*see also* Rule 11).

(12) **Rates or charges:** An explicit statement of the rates or charges in cents, or in dollars and cents, per designated unit or weight shall be shown, together with the names or designations of the places from and to which they apply.

(13) **Commodity descriptions:** Commodity descriptions must be explicit so as to leave no room for supposition or analogy. Terms such as "Forest Products" or "Grain Products" shall not be used unless a full list of the articles intended to be included in, and covered by, such terms is provided in the tariff, or specific reference is given by CTC (F) number to a tariff containing such list.

(14) **Arbitraries or differentials:** Where a tariff provides rates from or to designated points by means of arbitraries or differentials to be added to or

deducted from base point rates which are shown in other tariffs, specific reference thereto by CTC(F) number shall be made in the tariff publishing the arbitraries or differentials.

(15) **Routing:** Where necessary, the routing over which the rates apply shall be shown in tariffs, or reference may be made by CTC(F) number to a Routing Guide. (*see* Rules 28(5) to 28(9)).

RULE 6—LOOSE-LEAF TARIFFS

(1) **Construction same as bound tariffs:** Except as provided in this rule, the construction of loose-leaf tariffs shall be similar to that provided for bound tariffs.

(2) **Title Page:** The title page shall be designated in the upper margin as "Original Title Page", and shall be printed on one side of the leaf only. When a revised title page is issued, the following notation shall be shown in connection with the effective date: "Original tariff effective (*date*)."

(3) **Pages following the title page:** Each page following the title page shall show the CTC(F) number of the tariff in the upper margin and shall be consecutively numbered as "Original Page 1", "Original Page 2", and so on, and shall be printed on one side of the leaf only. Each page shall also show at the top the name of the issuing company. At the bottom of the page, the date of issue, the effective date, and the name, title and address of the officer responsible for the compilation and filing of the tariff, shall be shown in the same manner as provided for the title page (*see* Rule 4).

(4) **Check pages:** A check page or pages shall be included in each loose-leaf tariff, immediately following the title page, and shall contain a numerical list of all the current pages of the tariff. Revised check pages, listing added or revised pages, or supplements to the tariff, must accompany such pages or supplements, when forwarded for filing and be posted in tariffs made available for public inspection. Check pages shall bear the date of issue only. (*see* Rule 1(4) (h)).

(5) **Amendments by revised pages:** Amendments shall be made by reprinting the page which shall be designated as a revised page; for example:

"1st Revised Page 1,
Cancels Original Page 1."

OR

"2nd Revised Page 1,
Cancels 1st Revised Page 1."

(6) **Additional pages:** Where it is necessary to insert additional pages within the series of pages comprising the tariff, such additional pages shall be given the same numbers as the pages they follow and be designated: "Original Page 1A", "Original Page 1B", and so on. Pages added beyond the original series of pages shall be consecutively numbered in continuation of that series as "Original Page.....", and so on. Subsequent amendments to additional pages are to be made in the manner provided in paragraph (5) of this rule.

(7) **Transfer from one page to another:** When tariff matter is transferred from one page to another, both pages shall contain cross-references to indicate the page on which the tariff matter formerly appeared and the page to which it has been transferred. Subsequent revisions of these pages shall not carry forward such cross-references.

(8) **No supplement except for specific purposes:** No supplements shall be issued to a loose-leaf tariff, except to cancel the tariff or for the purposes authorized by Rules 19(4), 29(5) and 35(1)(b).

(9) **Check page to list supplement:** A revised check page must be issued to include reference to the effective supplement and accompany such supplement when forwarded for filing.

(10) **Cancellation of supplements:** When all changes made by a supplement have been incorporated in the tariff proper by revision of the appropriate pages, the supplement shall be cancelled. Such cancellation shall be made by re-issuing the check page and adding, in the upper right corner immediately under the words: "Cancels.....revised page 1", the words "also cancels Supplement No....."

RULE 7—SUPPLEMENTS

(1) **Governed by same regulations as tariffs:** Changes in, or additions to, a tariff shall be known as amendments and may be published in a supplement to the tariff. Such supplements shall, except as otherwise provided, be governed by the same regulations as are applicable to tariffs. (*see* Rules 6(8), 7(8), 7(9) and 7(10) for number of effective supplements permitted).

(2) **Numbering and cancellation of supplements:** Supplements shall be numbered consecutively on their title pages, commencing with "Supplement No. 1", and where a supplement cancels a previous supplement, it shall be shown as follows: "Supplement No. 2, cancels Supplement No. 1". Each supplement shall specify the numbers of the supplements in effect and containing all changes, in the following manner: "Supplements Nos. 3, 5 and 7 contain all changes." Supplements shall bear the CTC(F) number of the tariff they supplement; issued and effective dates; and the name, title and mail address of the issuing officer.

(3) **Supplements not filed with the Board:** Where a supplement is issued and is not required to be filed with the Board, the next succeeding Supplement filed with the Board shall show on its title page a brief explanation of the break in the numbering sequence.

(4) **Supplements to identify amendments:** The matter contained in each supplement shall be arranged in the same manner and order as in the tariff. Supplements shall clearly identify by page, item or rule number the exact portions of the tariff to be amended thereby.

(5) **Progressive item numbering:** When an item number has been assigned in a tariff, the same number must be maintained throughout the life of the tariff and, as changes are made in supplements, (loose-leaf tariffs excepted), the suffixes "A", "B", "C", etc., shall be progressively added to the item

number. If the provisions of an item are cancelled, or have expired by limitation, and it is desired to restore such provisions, the item must be republished under the original number with the appropriate suffix added thereto.

(6) **Cumulative index of items:** Where a tariff contains matter which is assigned item numbers, every supplement of more than eight pages shall publish a cumulative index of all new or changed items, giving reference in each instance to the supplement where the new or changed item is to be found.

(7) **Re-issued matter:** Supplements which consolidate matter from prior supplements shall bear the following notation on the title page: "Effective (*date*), except as otherwise provided herein", or "... except as provided in Item (or Rule)", or "... except as provided on Page. . ." The reissued matter therein shall be designated by a reference mark in the form of a square enclosing a number, the first number being that of the supplement in which the matter first appeared. Such reference mark shall be explained in either of the following forms:

(a) "☐—Reissued from Supplement No. 4, effective (*here show date*)."

OR

(b) "☐—Reissued from supplement bearing the number enclosed within the square. *See* Item (or Rule)....."

The following item or rule shall be published in tariffs using the form of explanation prescribed by paragraph 7(b) of this rule:

"Method of Denoting Reissued Matter in Supplements"

"Matter brought forward without change from one supplement to another will be designated as "Reissued" by a reference mark in the form of a square enclosing a number, the number being that of the supplement in which the reissued matter first appeared in its currently effective form. To determine its original effective date, consult the supplement in which the reissued matter first became effective."

(8) **Number of effective supplements:** Except as otherwise provided in these regulations, tariffs may have only the following regular supplements in effect at one time:

<i>When tariff comprises</i>	<i>Regular supplements</i>
4 pages or less.....	none (except for cancellation)
5 to 16 pages.....	1
17 to 80 pages.....	2
81 to 200 pages.....	3
Over 200 pages.....	4

(9) **Additional supplements:** When the smallest supplement authorized by paragraph (8) of this rule contains four or more pages, one additional supple-

ment may be issued, provided it is cancelled by the next regular supplement. Other additional supplements for specific purposes are permitted by the following rules:

- Rule 7(10) —Supplements authorized by Interstate Commerce Commission.
- Rule 19(5) —Suspensions and Vacations.
- Rule 21(5) —Bridge Supplements.
- Rule 27(4) —Tariff Indexes.
- Rule 29(6) —Discontinuance of Water Services.
- Rule 32(2) —Adoption Notices.
- Rule 35(1)(b)—Connecting Link Supplements.

(10) Supplements authorized by Interstate Commerce Commission:

Where tariffs are filed with the Interstate Commerce Commission as well as the Board, the authorization by the Interstate Commerce Commission of Supplements additional to those permitted by these regulations shall be deemed to include authorization by the Board.

RULE 8—FILING OF TARIFFS

(1) Period of notice: Subject to the undernoted exceptions, tariffs shall be filed with the Board on not less than thirty (30) days' notice for increases and three (3) days' notice for reductions or other changes.

Exceptions

- | | | |
|--|---|---------------------------------|
| <ul style="list-style-type: none"> (a) Competitive rates, as provided in Rule 17—Without notice. (b) Postponement of effective date: (Rule 21(3)). (c) Rates account newly constructed rail lines: (Rule 22(1)). (d) Reduction or elimination of increases before effective date: (Rule 21(2)). (e) Station changes in Official List of Freight Stations: (Rule 26(3)). (f) Supplements to rail carriers' tariffs announcing discontinuance of water service: (Rule 29(5)). (g) Supplements vacating an order of suspension or cancelling suspended matter: (Rule 19(5)). | } | <p>One
day's
notice</p> |
|--|---|---------------------------------|

(2) Commencement of period of notice: The act of mailing does not constitute filing and the period of notice commences from the date of receipt of the tariff by the Board.

(3) CTC(F) numbers to be consecutive: Tariffs shall be filed in consecutive order. If, for any reason, this is not done, the tariff which is filed with a CTC(F) number that is not consecutive, shall be accompanied by an explanation of the omission in filing.

(4) **Filing Advice:** Tariffs shall be accompanied by filing advices, consecutively numbered, approximately 8 x 10 inches in size, and in substantially the following form:

(Name of carrier or agent)
Address
Date

Filing Advice F. No.

Director,
Traffic Department,
Board of Transport Commissioners for Canada,
Ottawa, Ontario.

In compliance with the requirements of the Railway Act, I transmit herewith for filing with the Board, copies of freight tariffs as follows:

Supplement No.	Tariff CTC(F) Numbers	Date Taking Effect	Description

Name

Title

The original filing advice will be retained. If an acknowledgment is required, a duplicate filing advice must be submitted which will be stamped with date of receipt and returned to the sender.

(5) **Number of copies to be filed:** One copy of each tariff shall be filed with the Board, except the Official Distance Table and Tariff Index, which shall be filed in duplicate.

(6) **Mailing of tariffs:** Tariffs, filing advices and accompanying letters of explanation shall be addressed to the Director, Traffic Department, Board of Transport Commissioners for Canada, Ottawa, Ontario, with the envelope being clearly marked as "FIRST CLASS MAIL" and containing "TARIFFS". If the envelope is mailed in Canada and clearly marked "O.H.M.S.", no postage is required.

(7) **Telegraphic advice of changes in tariffs in emergencies:** Carriers or agents having filing offices in Canada at Winnipeg or west thereof, and in the Provinces of Nova Scotia and Newfoundland, are authorized, in cases of emergency only, to notify the Director, Traffic Department of the Board, by telegraph of a proposed change in rates, provided that:

- (a) The new tariff be immediately published and publicly posted for the full period of notice required by these Regulations;

- (b) The telegram to the Board clearly states the changes proposed to be made and the effective date thereof;
- (c) The new tariff is mailed to the Board not later than the date of publication; and
- (d) A copy of the telegram is attached to the tariff filed with the Board.

RULE 9—CONSOLIDATION OF TARIFF MATTER

(1) **Tolls of like kind in one tariff:** Except as otherwise authorized by the Board, carriers or agents are required to refrain from issuing a variety of separate tariffs when the subject matter thereof could be grouped conveniently into tariffs of general application. (*see also* Rule 16(2)).

(2) **Specific commodity tariffs:** Except as otherwise provided in this rule, if the volume of tariff matter relating to one commodity or to a group of related commodities is sufficient to justify the issuance of a specific commodity tariff, such tariff shall include all rates on that commodity or group of related commodities within the area covered thereby.

(3) **General commodity tariff:** Where there is insufficient volume to justify the publication of a specific commodity tariff, a general commodity tariff shall be issued containing all commodity rates other than those covered by specific tariffs applicable within a recognized rate area.

(4) **Competitive tariffs:** Competitive rates shall, as far as possible, be published separately in competitive tariffs having application within a recognized rate area. (*see also* Rule 17(4)).

RULE 10—KIND OF TARIFF NOT TO BE CHANGED

(1) **No change in kind of tariff, once filed:** Commodity rates shall not be added to a class rate tariff and, similarly, class rates shall not be added to a commodity rate tariff. This rule, however, does not preclude the initial filing of a tariff containing both class and commodity rates and the subsequent addition of either or both such type of rate.

RULE 11—REFERENCE MARKS

(1) **Uniform reference marks:** Changes in rates, charges, or the wording of tariffs shall be indicated by the use of the following reference marks, which shall be used for no other purpose:

◆ or (A) —to denote increases.

↓ or (R) —to denote reductions.

▲ or (C) —to denote changes in wording which result in neither increases nor reductions in charges.

□ or () —to be used only in supplements to denote reissued matter, with the supplement number from which reissued inserted therein.

● or N —to denote no change in rates.

Rules 11(1) to 13(1)

Reference marks shall be placed in such position as will attach as directly as possible to the actual change in rate, charge or text. An explanation of such reference marks shall be published in the tariff in which they are used. (*see* Rule 5(11)).

(2) **General changes:** When a change of the same character is made in all, or substantially all, rates in a tariff, a page thereof or supplement thereto, the nature of such change may be indicated at the top of the title page, or each affected page or supplement, by the following notation:

“All rates in this issue (or page) are increases (or reductions), except as indicated.”

The changes not consistent with this notation shall be appropriately indicated.

(3) **Change in tariffs, rates or charges immediately following expiration date:** Where new tariffs, rates or charges are filed to take effect immediately following the date of expiration of the former tariff, rate or charge, the actual change in rate or charge made from the previous publication shall be indicated by the uniform reference marks set out in paragraph (1) of this rule.

RULE 12—

REFERENCE TO ORDERS, JUDGMENTS OR SPECIAL PERMISSIONS

(1) **Reference to appear in tariffs:** Tariffs, revised pages or supplements, issued pursuant to orders, judgments or special permissions of the Board shall give reference thereto, as follows:

(a) “Issued in compliance with CTC Order.....,
dated.....”

OR

(b) “Issued under CTC Judgment dated.....”

OR

(c) “Issued on.....day’s notice; authority, CTC Special Permission No.....” (*see* Rule 36(4)).

(2) **Reference to appear in initial publication only:** Such references need be shown only in the initial publication of the new or changed matter and may be eliminated when the tariff, revised pages or supplements are subsequently amended.

RULE 13—EXPLOSIVES AND DANGEROUS ARTICLES

(1) **Reference to governing regulations:** Tariffs publishing rates for the transportation of explosives and dangerous articles shall contain a notice to the effect that such transportation is governed by regulations prescribed, approved and filed with the Board and shall make reference thereto by the name and CTC(F) number of the carrier or agent filing such regulations with the Board.

RULE 14—ALTERNATIVE APPLICATION OF RATES

(1) **Tariffs to provide for alternative application of rates:** All tariffs applicable between points in Canada shall provide therein for the alternative application of rates by the following rule:

“The class rate at actual weight, subject to classification minimum weight, will apply if it makes a lower charge per shipment than the commodity rate and minimum weight published herein.”

RULE 15—APPLICATION OF RATES TO INTERMEDIATE POINTS

(1) **Between points in Canada:** Tariffs issued between points in Canada containing rates which are not competitive shall contain the following clause: “The rates named herein, unless specifically indicated as competitive, are maximum rates and must not be exceeded in the same direction from or to any intermediate points in the direct line of transit.”

(2) **From Canada to United States points:** Tariffs naming rates from points in Canada to points in the United States shall contain a rule to the effect that such rates, unless specifically indicated as competitive, must not be exceeded from intermediate points in Canada.

(3) **From United States to Canadian points:** Tariffs naming rates from points in the United States to points in Canada shall contain a rule to the effect that such rates, unless specifically indicated as competitive, must not be exceeded to intermediate points in Canada.

RULE 16—RULES AND REGULATIONS

(1) **Rules and regulations in separate tariff:** A separate tariff may be filed containing rules and regulations which are to govern certain tariffs within a recognized rate area. Such rules and regulations shall be made part of the rate tariff by a reference in substantially the following form:

“Governed, except as otherwise provided herein, by rules and regulations published in.....CTC(F).....supplements thereto or reissues thereof.”

In lieu of the foregoing a short general reference may be made on the title page. (*see* Rule 4(1)(g)).

(2) **All rules and regulations in one tariff:** Only one tariff containing rules and regulations shall be published by a carrier or agent to apply within a recognized rate area.

RULE 17—COMPETITIVE RATES

(1) **Competitive rates may be established without notice:** Competitive rates, which are urgently required to be brought into immediate effect to meet the competition of transportation services not subject to the Board's jurisdiction, may be acted upon without previous notice to the Board but the carrier or agent concerned must immediately publish such rates, effective as from the date of acceptance of the traffic for movement, and file the same with the Board in accordance with the regulations herein stated.

(2) **Amendment or cancellation:** Competitive rates which have been published and are already in effect may be subsequently amended or cancelled in accordance with the provisions of Rule 21.

(3) **Equalizing rates to meet competing routes without notice:** Competitive rates comprising reductions from existing published rates may be published and filed without notice where such reduced rates are required to equalize existing rates of competing routes (subject to recognized differentials, if any, between rail and water carriers) between common points of carriers subject to the Board's jurisdiction.

(4) **Competitive rates in tariff with non-competitive rates:** Competitive rates shall, as far as possible, be published separately in competitive tariffs, in accordance with the provisions of Rule 9(4). If such competitive rates are included in a tariff with non-competitive rates, such competitive rates shall be clearly indicated as being issued to meet competition.

(5) **Expiration by limitation:** Competitive rates may be published to expire on any date subsequent to the effective date thereof.

(6) **Explanation may be required by Board:** The Board may, at any time, require carriers or their agents availing themselves of the preceding provisions of this rule to furnish to it a complete explanation of the facts and circumstances involved.

(7) **Notation on filing advices:** Filing advices submitting tariffs issued under the authority of paragraphs (1) or (3) of this rule shall indicate in respect of such tariffs; "Issued under authority of Rule 17(1), (or Rule 17(3)), of Tariff Circular 1-A. "

RULE 18—REJECTION OF TARIFFS

(1) **Board may reject tariffs:** Tariffs which fail to meet the requirements of these rules may be rejected and returned to the sender.

(2) **Rejected tariffs are void:** The CTC(F) tariff number, the revised page number or the supplement number of a rejected tariff, revised page or supplement, shall not be used again.

(3) **Substitution of rejected tariffs:** Tariffs issued in lieu of those rejected by the Board, shall show the following reference on the title page:

"Issued in lieu of (here insert reference to the rejected tariff, revised page or supplement) rejected by the Board of Transport Commissioners for Canada".

(4) **Rejection by Interstate Commerce Commission:** Where tariffs, filed with both the Interstate Commerce Commission and this Board, are rejected by the Interstate Commerce Commission, the issuing carrier or agent shall immediately notify the Director, Traffic Department of the Board, of such rejection. Such tariffs will also be marked rejected by this Board and returned to the sender.

RULE 19—SUSPENSION OF TARIFFS

(1) **Suspended matter to be restored:** When provisions of a tariff are suspended by order of the Board, the issuing carrier or agent shall immediately file an appropriate amendment restoring the provisions which were to be cancelled by the suspended tariff.

(2) **Restoring suspended matter:** When the Board vacates an order of suspension, an appropriate tariff amendment putting into effect the suspended provisions and terminating the restored provisions may be filed on one day's notice, but not earlier than the effective date originally proposed.

(3) **Cancellation of suspended matter:** When the Board orders the cancellation of the suspended provisions of a tariff, the suspended matter therein shall be cancelled by filing an appropriate tariff amendment on one day's notice.

(4) **When Interstate Commerce Commission orders:** When the Interstate Commerce Commission suspends, vacates the suspension of, or orders the cancellation of, suspended matter in a tariff applicable between United States and Canadian points, the provisions of this rule may be applied thereto. (*see also* Rule 6(8)).

(5) **Supplements:** Supplements to effect the foregoing may be filed without regard to Rule 7(8).

RULE 20—CANCELLATION OF TARIFFS

(1) **Cancellation by supplement or by another tariff:** A tariff, together with all of its effective supplements, may be cancelled by a supplement thereto or by another tariff. Cancellation of a tariff by a supplement to another tariff is not permitted.

(2) **Cancellation by another tariff:** When a tariff is cancelled by another tariff, the tariff effecting the cancellation shall be in the same CTC(F) series, except if a carrier's tariff is to be displaced by an agency tariff, the agency tariff shall either cancel or indicate that it supersedes the carrier's tariff. In the latter case, the carrier's tariff shall be cancelled by a supplement thereto and show reference to the agency tariff.

(3) **Cancellation by two or more tariffs:** When a tariff is superseded by two or more tariffs, the cancellation shall be accomplished by a supplement to the tariff to be cancelled. Such supplement shall show reference to the tariffs in which the cancelled matter will thereafter be found. The new tariffs shall show reference to the cancelled tariff by a notation, as follows:

"Supersedes.....Tariff, CTC(F)....., to the extent shown in Supplement.....thereto."

(4) **Transfer from one tariff to another:** When tariff matter is transferred from one tariff to another, the transfer shall be accomplished by specific cancellation, to be made by amendment to, or reissue of, the tariff in which it is in force. Such supplements shall contain reference by CTC (F) number to the tariff in which the matter will thereafter be found. The tariff containing the matter so transferred shall show a corresponding reference to the tariff in which it was formerly published. Such references need only be shown on the initial transfer of tariff matter.

(5) **Partial cancellation:** When a tariff partially supersedes another tariff in force at that time, it shall specifically state the portions of the other tariff which are thereby superseded and the conflicting portions of the other tariff shall be correspondingly amended. It will not be necessary for commodity tariffs to give reference to class rate tariffs that may be affected.

(6) **Cancellation notice:** When a tariff is cancelled by another tariff which does not set out all the tolls shown in the cancelled tariff, the tariff effecting the cancellation must show where the tolls not shown therein will thereafter be found, or what tolls will thereafter apply.

(7) **Reinstatement only by publication:** When a tariff or a portion thereof has been cancelled, it cannot be reinstated other than by republication in the manner provided by these regulations.

RULE 21—CHANGES IN TOLLS

(1) **Notice period for changes:** Except as provided in these regulations or by authorization of the Board, no toll may be increased until it has been in force for at least thirty (30) days and no toll may be reduced until it has been in force for at least three (3) days.

(2) **Reduction or elimination of increases before effective date:** If a tariff has been filed, increasing a toll, and if, prior to its effective date, it is desired to reduce or eliminate the amount of the increase, a tariff may be filed on not less than one (1) day's notice to effect such reduction or elimination upon the same effective date as proposed for the original increase.

(3) **Postponement of effective date:** Where a tariff has been filed in accordance with the provisions of these regulations and, prior to the effective date of such tariff, it is desired to postpone the effective date, the postponement may be effected by filing a suitable tariff, supplement or revised page on one (1) day's notice.

(4) **Expiration by limitation:** Except as provided in Rule 17(5), tariffs or the tolls named therein may be published to expire on a named date, but such date of expiration must not be earlier than thirty (30) days after the effective date of such tariffs or tolls.

(5) **Bridge supplements:** When a tariff has been filed to cancel another tariff and, prior to the effective date of the new tariff, it is necessary to amend or supplement the tariff it is intended to cancel, supplements shall be issued and filed in respect of both tariffs to comply with the requirements of paragraph (1) of this rule. Rule 7(8) shall not apply to such supplements.

RULE 22—NEWLY-CONSTRUCTED RAIL LINES

(1) **Tariffs may be filed on one day's notice:** Tariffs containing rates, charges or regulations applicable from and to points on newly constructed lines of railway, including extensions of existing railways, may be initially filed with the Board and posted at stations on not less than one day's notice.

(2) **Tariff notation:** The tariffs shall contain a notation in connection with such rates, reading as follows:

“Issued on one day's notice; authority, Rule 22 of CTC Tariff Circular 1-A.”

RULE 23—OFFICIAL DISTANCE TABLE

(1) **Official Distance Table to be filed:** Each carrier shall publish, and file in duplicate under a CTC(F) number, an “Official Distance Table”, which shall contain the exact distance between its stations, extended to not more than two decimal places.

(2) **Mileages to or from sidings:** The Official Distance Table shall provide by a suitable clause that the mileage published to or from the nearest station to loading or unloading sidings will govern mileage rates on traffic handled to or from such sidings, unless such mileage is a distance competitive with the lower mileage of a competing carrier, in which event non-competitive traffic shall be governed by the normal mileage via the line which carries the traffic.

(3) **Interchange Points:** Unless included in the “Official List of Freight Stations in Canada”, (see Rule 26), the Official Distance Table shall also show the names of the points at which freight traffic may be interchanged with the lines of connecting carriers, the names of the carriers with which freight traffic may be interchanged at such points, whether carloads or less, or both, and the method of interchange (track connection or cartage). If connection is made through an intermediate carrier, it shall be so shown.

(4) **Mileage rates to be governed by Official Distance Table:** Tariffs containing mileage rates shall give reference by CTC(F) number to the governing Official Distance Table.

(5) **Passenger and freight distances in same issue:** The Official Distance Table may be used for both passenger and freight service, in which case copies thereof shall be filed with the Board under separate filing advices in both the carrier’s freight and passenger tariff series.

RULE 24—RATE BASIS BOOKS

(1) **Territorial Directories and Rate Bases in separate tariffs:** Separate tariffs may be filed, such as “Territorial Directories” or “Rate Bases”, showing lists of points taking a common rate, and points taking arbitraries or differentials to be added to or deducted from base point rates.

(2) **Routing:** Such tariffs may also contain routing instructions, provided duplicate or conflicting routing instructions are not also shown in the base rate tariff or in publications which govern that tariff.

(3) **References in rate tariff:** When such a separate publication is used, reference thereto must be made in the rate tariff to the CTC(F) number of the rate basis book and all carriers shown as participating carriers in the rate tariff shall also be shown in the separate rate basis book.

(4) **Limited number of basis books:** No one rate tariff may be governed by more than two such basis books; one for points of origin and one for points of destination.

(5) **Different classifications to be clearly shown:** When the arbitraries or differentials to be added to or deducted from the base point rates are subject to a different classification, or classification exceptions, than apply in connection with the base rates, reference to such classification and exceptions thereto must be made immediately in connection with the arbitraries or differentials.

(6) Combined use of tariff and basis book constitutes through rate:

The rates and charges made by the combined use of base rate tariff and basis books shall constitute through rates and charges. All governing rules and regulations should be published in the base rate tariff or made part thereof, by reference. If, however, it is necessary in particular cases to include rules or regulations in the rate basis books, such rules must not duplicate or conflict with rules governing the base rate tariff.

RULE 25—SPECIAL ARRANGEMENTS TARIFFS

(1) **Separate tariffs covering special arrangements:** Unless published in the individual rate tariffs affected thereby, each carrier or agent shall publish and file separate tariffs containing in clear, specific form and terms any rates, charges, allowances, absorptions, rules and regulations with respect to any special, accessorial or terminal arrangements that in any way increase or decrease the value of service provided by the carrier.

(2) **Consolidation of provisions for special arrangements:** All such separate special arrangements tariffs shall include in the one issue all special arrangements of a like kind and no carrier or agent is authorized to issue more than one tariff therefor. If practicable, only one tariff should be issued to include miscellaneous special arrangements.

(3) **Reference in tariffs affected by special arrangements:** Tariffs affected by the provisions of special arrangements tariffs shall either specifically refer thereto by CTC(F) number or by an omnibus clause providing that shipments made under the rates contained therein will be entitled, in the absence of specific provisions to the contrary, to such allowances and privileges and subject to such rates, charges, rules and regulations for the.....(*here, name specifically the services*).....of participating carriers performing the services as per tariffs lawfully on file with the Board of Transport Commissioners for Canada.

RULE 26—STATION LISTS

(1) **Separate tariff for station data:** A tariff publication, entitled "Official List of Freight Stations in (Eastern or Western) Canada", may be filed containing:

- (a) Alphabetical and geographical list of stations with index numbers and railroad locations.
- (b) Prepay requirements.
- (c) Station facilities.
- (d) Restrictions as to non-acceptance and non-delivery of freight.
- (e) Addition and change in names of stations.
- (f) Abandonment of stations.
- (g) Points at which freight traffic may be interchanged with connecting carriers, (whether carload or less, or both), the name of such connecting carriers, and the method of interchange (track connection or cartage). If connection is made through an intermediate carrier, it shall be so shown.

(2) **No rates or charges to be shown:** No rates or charges, nor any information which will in any way increase or decrease the rate or charge in the tariffs making reference to this publication, shall be shown therein.

(3) **Changes on one day's notice:** Changes in such a tariff, involving only abandonment of stations, names of stations, prepay requirements, station facilities and restrictions as to non-acceptance and non-delivery of freight, may be made on not less than one (1) day's notice by noting thereon reference to this rule, but no change shall be made therein in advance of the date approved by the Board where its prior approval is necessary.

(4) **Governing rule in rate tariffs:** Except as provided in paragraph (5) of this rule, tariffs to be governed by the station lists, as above authorized, shall make reference thereto in the following manner:—

"Governed by (here, follow with CTC(F) reference to the governing tariff or tariffs), supplements thereto or successive issues thereof, as to additions and abandonment of stations and, except as otherwise shown herein, as to prepay requirements, changes in names of stations, restrictions as to acceptance or delivery of freight, and changes in station facilities. When a station is abandoned as of a date specified in the above-named tariff, the rates from and to such station, as published in this tariff, are inapplicable on and after that date."

(5) **Governing rule in rate tariffs applicable to or from United States' points:** Tariffs applicable from points in Canada to points in the United States, or vice versa, may, in lieu of referring to the "Official List of Freight Stations in (Eastern or Western) Canada," make reference to the list of open and prepay stations of the Station List Publishing Company, Agent, on file with the Board, provided such list of open and prepay stations is governed by the provisions of paragraph (6) of this Rule.

(6) **Abandonment of stations governed by Official List:** When a station is to be abandoned, the effective date of abandonment shall be that published in an appropriate amendment to the Official List of Freight Stations, as herein authorized to be published, and all rates to or from such station shall become inapplicable from the abandonment date so specified.

(7) **Eliminating abandoned stations from tariffs:** Abandoned stations shall be eliminated from tariffs naming such stations as promptly as practicable, but not later than six months from the effective date of abandonment. When the elimination is made by supplement, it shall be accomplished by a specific notation or a suitable rule reading substantially as follows:

"Eliminate account station abandoned. For effective date, see (here, make full CTC(F) reference to the governing tariff issued under this rule)."

(8) **Reference mark for changes:** Changes in tariffs as a result of abandonment or changes in names of stations are not required to be indicated by the reference marks used to denote an increase or decrease as described in Rule 11; in lieu thereof, a suitable uniform reference mark may be used to indicate such changes.

RULE 27—TARIFF INDEX

(1) **Index of tariffs to be filed:** Subject to the provisions of paragraph (6) of this rule, each carrier shall publish under a CTC(F) number, and file in duplicate, a complete index of tariffs in effect, including those which have been filed to take effect at a date subsequent to the issue date of the index.

(2) **Arrangement by sections:** Such index shall be divided into three sections; first, a list of all tariffs in which the carrier is an initial carrier; second, a list of all tariffs in which the carrier is an intermediate or delivering carrier; third, a complete numerical list by CTC(F) numbers of all its own tariffs.

(3) **Arrangement of contents:** The index shall show: (a) the CTC(F) number of each tariff, including both its own issues and those issued by others under power of attorney; (b) name or initials of issuing carrier or agent; (c) a brief description of the traffic on which it applies; (d) whether the tariff contains other than all-rail rates; (e) points or territory from and to which the tariff applies. Supplements to tariffs are not to be included in the index.

(4) **Supplements and reissues:** The index shall be brought up to date either by reissue or by supplement, at least every three months and shall be reissued at least every two years. Not more than five supplements thereto shall be in effect at one time. Rule 7(8) shall not apply. The title page shall bear the date of issue but no effective date.

(5) **Inclusion of expired or cancelled tariffs:** Tariffs which are issued subsequent to the last revision of the tariff index and which expire or are cancelled prior to the next revision, shall be included in the next revision of the tariff index with a notation that they are included therein for record purposes only.

(6) **Subsidiary lines may be included in parent company's index:** Parent companies may include tariffs of their subsidiary lines in the parent company's index, provided the application of the tariffs as to each line is plainly indicated. When the parent company does not publish all of the tariff matter of the subsidiary line, the latter must also file the index under a CTC(F) number in its own series.

(7) **List of agent's tariffs:** Agents filing tariffs on behalf of carriers are requested to file a list of their tariffs in which all tariffs issued by the agent are shown by CTC(F) number with a brief description of the character and applicable territory of each tariff. Such a list may be filed as a tariff under a CTC(F) number of the agent's series or may be given a list number for identification purposes. Such list should be reissued at least yearly and revised at least every three months when changes occur in the tariffs so listed.

(8) **Freight and passenger tariffs in one index:** Indexes of freight and passenger tariffs may be combined in the one publication. The combined index shall be divided into two separate parts; the CTC reference in both the freight and passenger series shall be shown thereon; and it shall be filed separately with the Board in both series.

RULE 28—JOINT TARIFFS

(1) **Applying between points in Canada:** Joint tariffs applicable over any continuous route in Canada operated by two or more carriers shall be filed by the initial carrier or its duly authorized agent, in the same manner as local tariffs.

(2) **Applying over routes of foreign railway companies:** Joint tariffs applicable over any continuous route operated by two or more railway companies whether Canadian or foreign, from: (a) a point in Canada through a foreign

country into Canada; (b) from a point in Canada to a foreign country; or (c) from a point in a foreign country to a point in Canada; shall be filed by the initial railway company or its duly authorized agent.

(3) Applying between points in the United States and passing through Canada: Except as provided in paragraph (4) of this rule, joint tariffs applicable to traffic carried over a continuous route owned or operated by any two or more companies, whether Canadian or foreign, between points in the United States passing through Canada, shall be filed by the initial railway company or its duly authorized agent.

(4) Joint tariffs publishing reduced rates pursuant to Section 22 of the Interstate Commerce Act: Canadian companies participating in joint rates, applying between points in the United States over routes passing through Canada, which are published pursuant to the provisions of Section 22 of the Interstate Commerce Act, (commonly known as "Section 22 Quotations"), may file true copies of such quotations through a single duly authorized Canadian agent. Such true copies shall be filed as a separate series of tariffs, numbered from 1 upwards and prefixed by the initials "CTC (Sec. 22)", without regard to the requirements of these regulations with respect to construction of tariffs, period of notice, posting and tariff indexes, except that the dimensions of such true copies shall not exceed eight inches wide by eleven inches long.

(5) Routing to be shown: Joint tariffs shall show the routes over which the rates or charges published therein apply, stated in such manner that the routes may be definitely ascertained.

(6) Routing in tariff or routing guide: Routing may be published in the tariff containing the rates or charges or may be published in a separate tariff provided reference by CTC(F) number is made to such separate tariff. The routing tariff shall be filed with the Board by the issuing carrier or its duly authorized agent.

(7) Restrictive use of routing tariffs: The routing tariff shall show on the title page the following notation:

"The routes provided herein may be used only in connection with rates made subject hereto by specific reference to this tariff in tariffs containing such rates. Its use in connection with any tariff is restricted to the carriers and to the application provided in such tariff."

(8) Emergency routing: The following tariff provision may be incorporated in rate tariffs under the heading "Routing Instructions":

"The rates named in this tariff will apply only via the routes and junction points authorized herein except that when in the case of pronounced traffic congestion (not an embargo), washout, wreck or other similar emergency, or through carriers' error, carriers forward shipments via other junction points of the same carriers or via the lines of other carriers parties to the tariff, the rate to apply will be that specified in this tariff, but not higher than the rate applicable via the route of movement."

The words "or via the lines of other carriers parties to the tariff" may be omitted from the emergency routing clause.

(9) **Local rates in joint tariff:** Where a tariff contains both local and joint rates, and it is not intended that local rates to or from common points shall apply via joint routes, the fact shall be plainly stated in the tariff.

(10) **Joint Agency tariffs to be filed by each agent:** Tariffs applicable jointly between or from points on originating carriers that have each appointed separate agents must be filed by each agent in his own CTC(F) series.

(11) **Joint rates to include transfer at interchange points:** All joint tariffs shall provide that the joint rates therein include the transfer from one carrier to the other at intermediate interchange points on shipments handled through and not stopped for special services at such interchange points.

RULE 29—

DISCONTINUANCE AND RESTORATION OF WATER SERVICES

(1) **Joint rail and water tariffs to provide for suspension of water service:** Tariffs of rail carriers, or their agents, containing joint rail and water tolls, applicable via routes upon which it is necessary to close navigation during the winter months of each year, must provide for the discontinuance and restoration of service over such routes.

(2) **Notation on title page:** The following notation shall appear on the title page of the tariff:

“Transportation service in connection with (*name of water carrier*) is subject to discontinuance and restoration as indicated on page . . .”

(3) **Definite dates of acceptance:** When definite dates of discontinuance and restoration of service can be determined, the following rule shall appear in the tariff:

“Shipments will be accepted by carriers parties to this tariff during the period from (*here show date approximately thirty days prior to the first sailing from port of trans-shipment*) to (*here insert date which will allow sufficient time for shipment to reach the port of trans-shipment prior to the last sailing*) of each year, for transportation on the vessels of (*name of participating water carrier*).”

(4) **Definite dates of acceptance with extended final date:** When definite dates of discontinuance and restoration are stated as set out in paragraph (3) of this rule and it is desired to extend the final date of discontinuance to a later date, the following rule shall appear in the tariff:

“Shipments will be accepted by carriers parties to this tariff during the period from.....to.....of each year, for transportation on the vessels of the (*name of participating water carrier*). Shipments will also be accepted from the latter date until....., subject to the condition that all freight left on hand at the port of trans-shipment after the closing of navigation for lack of space on vessels sailing after the arrival of such freight, and all freight reaching the port of trans-shipment after the last sailing of each season of navigation will be forwarded via all-rail routes, if all-rail service can be given, and be subject to the tariff rates applicable via those all-rail routes from point of origin of the shipment to final destination which were in effect on the date of shipment. No out-of-line haul charge shall

CTC GC F. No.....

Board of Transport Commissioners for Canada,
Ottawa, Ontario.

This is to certify that (*name of concurring carrier*) assents to, and concurs in, all joint tariffs and amendments thereto that may hereafter be published and filed by (*name of carrier, agent, corporation or association issuing tariffs*) in which this company is named as a participant, insofar as such tariffs contain rates, charges or regulations applicable to or via (*not from*) this company's points, and hereby makes itself a party thereto and bound thereby.

.....
(Corporate name of concurring carrier)

By.....
(Officer or Agent)

CTC PA F. No. of Agent.....

Duplicate mailed to:

(b) **Limited concurrence:** The following form is limited in its concurrence to specified traffic moving to or via points on the line of the carrier giving the concurrence.

(Corporate Name of Concurring Carrier)

Address
Date
CTC LC F. No.....
cancels
CTC LC F. No.....

Board of Transport Commissioners for Canada,
Ottawa, Ontario.

This is to certify that the (*name of concurring carrier*) assents to, and concurs in, joint tariffs and amendments thereto that may hereafter be published and filed by (*name of carrier, agent, corporation or association issuing tariffs*) in which this company is named as a participant insofar as such tariffs contain rates, charges or regulations applicable to or via (*not from*) this company's points, *except*

(*State the extent of the exception*)

and hereby makes itself a party thereto and bound thereby.

.....
(Corporate Name of Concurring Carrier)

By.....
(Officer or Agent)

CTC PA F. No. of Agent.....

Duplicate mailed to:

(c) **Specific concurrence:** The following form is specific in its concurrence and applies to a specifically named freight tariff applying to or via points on the line of the carrier giving the concurrence. It may not refer to more than one tariff.

(Corporate Name of Concurring Carrier)

Address

Date

CTC CC F. No.....

cancels

CTC CC F. No.....

Board of Transport Commissioners for Canada,
Ottawa, Ontario.

Subject to the undernoted exceptions, this is to certify that the (*name of concurring carrier*) assents to, and concurs in, the publication and filing of (*name of carrier, agent, corporation or association issuing tariff*) joint Tariff CTC(F).....in which this company is named as a participant insofar as that tariff contains rates, charges or regulations applicable to or via (*not from*) this company's points, and hereby makes itself a party thereto and bound thereby.

Exceptions

(Here describe the extent to which the above provisions are limited, otherwise leave blank.)

This certificate expires with the cancellation or expiration of the tariff to which it applies.

.....
(Corporate Name of Concurring Carrier)

By.....
(Officer or Agent)

C.T.C. PA F. No. of Agent.....

Duplicate mailed to:

(Note: If the concurrence is to apply to a supplement, this form may be appropriately modified.)

(2) **Printing and numbering of concurrences:** Concurrences shall be prepared on paper approximately 8 x 10½ inches in size, and shall be consecutively numbered by the issuing carrier in a separate series for each type of concurrence. They shall be legibly printed or typewritten; carbon copies will not be accepted.

(3) **Filing of general and limited concurrences:** General and limited concurrences shall be forwarded to the Board for filing, addressed to "Director, Traffic Department, Board of Transport Commissioners for Canada, Ottawa, Ontario" and shall show thereon that a duplicate has been mailed to the carrier, agent, corporation or association in whose favour it is executed. If an acknowledgment is required from the Board, an additional copy shall be submitted which will be stamped with date of receipt and returned to the issuing carrier.

Changes are to be shown in consecutively numbered supplements to such list, or in consecutively numbered reissues thereof which reissues shall be made not less frequently than at three-month-intervals.

(9) **Reference to issuing carrier's concurrences not required:** When an issuing carrier publishes a tariff which applies: (a) from points on other originating carriers to or via points on its own line, or (b) between its points and those of other carriers, it may omit reference to its own concurrence in such tariff, but shall show the power of attorney and concurrence numbers of the other carriers, or may omit such reference as provided in paragraph (8) of this rule.

(10) **Tariffs to conform to terms of concurrence:** Tariffs issued pursuant to limited concurrences, or specific concurrences, or specific concurrences which are limited in scope, must conform to the terms thereof. Where they do not conform to the precise limitations of the concurrence, they will be construed in the same manner as stated in paragraph (12) of this rule.

(11) **Revocation or cancellation of concurrences:** Concurrences may be cancelled either by substituting a new document specifically cancelling the effective document, or by formal notice of revocation. Such substitution or notice of revocation shall be forwarded to reach the Board at least sixty days before coming into force, and a copy thereof concurrently served upon that carrier, agent, corporation or association concerned. Notice of revocation shall be in the following form, approximately 8 x 10½ inches in size:

(Corporate Name of Carrier)

Address
Date
Revocation of: { CTC GC F.—
 { CTC LC F.—
 { CTC CC F.—

Board of Transport Commissioners for Canada,
Ottawa, Ontario.

Effective....., concurrence noted above issued by
(*name of carrier issuing concurrence*) in favour of (*name of carrier,*
agent, corporation or association) is hereby cancelled and revoked.

Reasons.....
.....
.....

Name.....

Title.....

Duplicate mailed to:

(12) **Revision of tariffs when authority cancelled or revoked:** When a concurrence is cancelled by substitution or is revoked in accordance with paragraph (11) of this rule, and the cancellation or revocation is not disallowed by the Board, corresponding revision of the tariff or tariffs should be made effective upon proper notice not later than the effective date of the cancellation or revocation. In the event of failure to so revise the applicable tariff or tariffs,

the rates therein remain applicable and the carrier, having cancelled or revoked its concurrence, is thereafter entitled to receive its local rates. If the tariff is published by a carrier, such carrier will be held liable to the carrier having cancelled or revoked the concurrence for the difference in charges under the tariff as it is and as it would have been if corrected in accordance with the cancellation or revocation of concurrence. In the case of tariffs published by an agent, the other carriers, constituting the through joint route will be held responsible for such difference in charges.

(13) Specific concurrence required if tariff to remain in effect after revocation or cancellation: If it is desired to continue in effect any tariff issued under a general or limited concurrence to be revoked or cancelled, a specific concurrence therefor shall be filed with the Board by the concurring carrier prior to the effective date of the cancellation or revocation.

RULE 31—POWERS OF ATTORNEY

(1) Appointing a person as agent:

- (a) If an originating carrier desires to issue tariffs through an agent, it may do so by filing with the Board a power of attorney signed on its behalf by the officer appointed by By-law as set out in Rule 2. Such document shall be attested by the Secretary of the company and bear the imprint of its corporate seal. The following form, approximately 8 x 10½ inches in size, shall be used for an originating carrier to appoint a person as attorney or agent to file tariffs and receive concurrences for it in its stead. Such authorization shall also appoint an alternate agent to act in the event of the death or disability of the principal agent.

(Corporate Name of Carrier)

Address

Date

CTC PA F. No.....
cancels

CTC PA F. No.....

KNOW ALL MEN BY THESE PRESENTS:

That the (*corporate name of carrier*) has made, constituted and appointed, and by these presents does make, constitute and appoint (*name of principal agent*) its true and lawful attorney and agent for the said company, and in its name, place, and stead, to receive concurrences in and to file freight tariffs, as required of railway companies by the Railway Act and by regulations established by the Board of Transport Commissioners for Canada thereunder, for the traffic and territory now herein named,

(describe traffic and territory)

until superseded or revoked in accordance with the regulations of the Board of Transport Commissioners for Canada.

And the said (*corporate name of carrier*) does hereby give and grant unto its said attorney and agent full power and authority to do and perform all and every act and thing above specified as fully, to all

intents and purposes, as if the same were done and performed by the said company, hereby ratifying and confirming all that its said attorney and agent may lawfully do by virtue hereof, and assuming full responsibility for the acts and neglects of its said attorney and agent hereunder.

AND FURTHER, that the (*corporate name of carrier*) has made, constituted and appointed and by these presents does make, constitute and appoint as alternate (*name of alternate agent*) its true and lawful attorney and agent for said company and in its name, place, and stead, in case and only in case of the death or disability of the said (*name of principal agent*) to do and perform the same acts and exercise the same authority as herein-above granted to (*name of principal agent*).

IN WITNESS WHEREOF the said company has caused these presents to be signed in its name by its (*title of officer*) and to be duly attested under its corporate seal by its secretary, at..... in the Province (or State) of....., on this.....day ofin the year of our Lord, Nineteen Hundred and.....

.....
(Corporate Name of Carrier)

.....
(Name and signature of officer)

.....
(Title of Officer)

Attest:
Secretary
(Corporate Seal)

Duplicate mailed to:

- (b) **Resignation or absence of principal agent:** The term 'disability' as used in the above instrument means the resignation, permanent transfer to other duties, or other permanent absense of the principal agent.
- (c) **Sworn statement of alternate agent:** On or before the date of filing of the first tariff by an alternate agent, such alternate agent shall notify the Board by sworn statement the reason for the exercise of authority.
- (d) **Notice of alternate agent:** In the first amendment to each tariff issued by the alternate agent subsequent to the death or disability of the principal agent, there shall be shown therein a notice reading substantially as follows: "On and after (*date principal agent ceased to act*), this tariff shall be considered as the issue of..... Alternate Agent".
- (e) **Alternate succeeds principal agent:** After an alternate agent has once exercised the authority granted by the power of attorney, the principal agent may not thereafter act under that document.
- (f) **New powers of attorney to be filed:** The death or disability of either the principal or alternate agent necessitates the execution of new powers of attorney, cancelling the effective documents, and naming the principal

and alternate agents thereafter to serve. Such new powers of attorney shall be secured by the new principal agent within one-hundred and eighty (180) days and all forwarded by him to the Board for filing at one time. They will become effective on the date received by the Board.

- (g) **Notice by new principal agent:** A new agent, on or after the filing of his authorities, shall include in the next amendment to each of the effective tariffs a notice reading substantially as follows: "On and after (*date new powers of attorney filed with Board*) this tariff shall be considered as the issue of, Agent". He shall also include in such amendment a list of the new powers of attorney or may file a statement thereof with the Board as provided in Rule 30(8).
- (h) **Numbering of tariffs in CTC(F) series:** Tariffs issued by the new principal agent shall be numbered in the same CTC(F) series as those of the former agent.

(2) **Appointing a Corporation or an Association as agent:** If an originating carrier desires to issue tariffs through a corporation or an association it may do so by filing with the Board a power of attorney signed on its behalf by the officer appointed by By-law as set out in Rule 2. Such document shall be attested by the secretary of the company and bear the imprint of its corporate seal. The following form, approximately 8 x 10½ inches in size, shall be used for an originating carrier to appoint a corporation or an association as attorney or agent to file tariffs and receive concurrences for it in its stead.

(Corporate Name of Carrier)

Address

Date _____

CTC PA F. No.....

cancels

CTC PA F. No.....

KNOW ALL MEN BY THESE PRESENTS:

That the (*corporate name of carrier*) has made, constituted and appointed, and by these presents does make, constitute and appoint (*name of corporation or association*), its true and lawful attorney and agent for the said company, and in its name, place, and stead, to receive concurrences in and to file freight tariffs, as required of railway companies by the Railway Act, and by regulations established by the Board of Transport Commissioners for Canada thereunder, for the traffic and territory now herein named,

(describe traffic and territory)

until superseded or revoked in accordance with the regulations of the Board of Transport Commissioners for Canada.

And the said (*corporate name of carrier*) does hereby give and grant unto its said attorney and agent full power and authority to do and perform all and every act and thing above specified as fully, to all intents and purposes, as if the same were done and performed by the said company, hereby ratifying and confirming all that its said

attorney and agent may lawfully do by virtue hereof, and assuming full responsibility for the acts and neglects of its said attorney and agent hereunder.

IN WITNESS WHEREOF the said company has caused these presents to be signed in its name by its (*title of officer*) and to be duly attested under its corporate seal by its secretary, at.....in the Province (or State) of....., on this.....day ofin the year of our Lord, Nineteen Hundred and.....

.....
(Corporate Name of Carrier)

.....
(Name and signature of officer)

.....
(Title of Officer)

Attest:
Secretary
(Corporate Seal)
Duplicate mailed to:

(3) **Appointing another carrier or parent company as agent:** A power of attorney may be given by an originating carrier to another with which it connects, or by a subsidiary to a parent company, to publish tariffs and to give powers of attorney to agents all in behalf of the said originating or subsidiary carrier. The following form, approximately 8 x 10½ inches in size, shall be used for the said purpose.

(Corporate Name of Carrier)

Address
Date
CTC PA F. No.....
cancels
CTC PA F. No.....

KNOW ALL MEN BY THESE PRESENTS:

That the (*corporate name of carrier*) has made, constituted and appointed, and by these presents does make, constitute and appoint (*name of carrier appointed agent*) its true and lawful attorney and agent for the said company, and in its name, place and stead, to file on its behalf, as required by the Railway Act and by regulations established by the Board of Transport Commissioners for Canada thereunder, joint freight tariffs applying FROM points on its line TO or VIA the line hereby appointed as agent, except

(If desired to limit the scope of the authority to exclude certain tariffs or territory, insert such limitation here, or if preferred, the authority may be stated, specifically in the body hereof. If not limited, delete the word 'except'.)

And the said (*corporate name of carrier*) does hereby give and grant unto its said attorney and agent, full power and authority to do and perform all and every act and thing above specified as fully, to all intents and purposes, as if the same were done and performed by the said company, hereby ratifying and confirming all that its said attorney and agent may lawfully do by virtue hereof, and assuming full responsibility for the acts and neglects of its said attorney and agent hereunder.

IN WITNESS WHEREOF the said company has caused these presents to be signed in its name by its (*title of officer*) and to be duly attested under its corporate seal by its secretary, at.....in the Province (*or State*) of.....on this.....day ofin the year of our Lord, Nineteen Hundred and.....

.....
(Corporate Name of Carrier)

.....
(Name and signature of officer)

.....
(Title of Officer)

Attest:
Secretary
(Corporate Seal)
Duplicate mailed to:

- (4) **Numbering of powers of attorney:** Each power of attorney shall be numbered consecutively with the prefix “CTC PA F.” and each issuing carrier shall number same in its own series.
- (5) **Powers of attorney of United States carriers:** Powers of attorney of United States carriers in favour of agents, carriers, corporations or associations in the United States are not required to be filed with the Board.
- (6) **Filing of powers of attorney:** Powers of attorney are to be forwarded to the Board for filing, addressed to “Director, Traffic Department, Board of Transport Commissioners for Canada, Ottawa, Ontario”. The document must bear a notation that the duplicate thereof has been forwarded to the agent, corporation, association or carrier appointed. If an acknowledgement is required from the Board, an additional copy of the power of attorney shall be submitted for that purpose. Such additional copy will be stamped with date of receipt and returned to the issuing carrier.
- (7) **References to powers of attorney in tariffs:** The provisions of Rule 30(8) shall govern requirements as to references to powers of attorney in tariffs.
- (8) **Revocation or cancellation of powers of attorney:** A power of attorney may be cancelled either by substituting a new document specifically cancelling the effective document, or by formal notice of revocation. Such substitution or revocation shall be forwarded to reach the Board at least sixty days

before coming into effect, and a copy thereof served upon the agent, corporation, association or carrier concerned. The following form, approximately 8 x 10½ inches in size, shall be used for the purpose of revoking powers of attorney.

(Corporate Name of Carrier)

Address

Date

Revocation of

CTC PA F.—

KNOW ALL MEN BY THESE PRESENTS:

Effective....., power of attorney as numbered above, issued by (*name of carrier issuing power of attorney*) in favour of (*name of agent, corporation, association or carrier in whose favour power of attorney was executed*) is hereby cancelled and revoked.

.....
(Corporate Name of Carrier)

.....
(Name and signature of officer)

.....
(Title of officer)

Attest:

Secretary

(Corporate Seal)

Duplicate mailed to:

(9) **Revision of tariffs when authority cancelled or revoked:** When a power of attorney is cancelled or revoked, corresponding revision of the tariffs should be made by the agent not later than the effective date stated in the cancellation or notice of revocation. If such tariffs are not so revised by the agent, the cancellation or revocation will not be deemed to have become effective until the carrier concerned has applied to and received from the Board an order disallowing such tariffs.

(10) **Tariffs of general application:** When an agent files tariffs of wide-spread application which are, by reference, made part of carriers' tariffs, such as classifications, equipment and station lists, basing tariffs, billing instructions, etc., his authority to so file must be by power of attorney, as prescribed herein, executed by each carrier shown as participating therein.

RULE 32—ADOPTION NOTICES

(1) **Filing and form of adoption notice:** When the name of a carrier is changed, or when its operating control is transferred to another company, the carrier which will thereafter operate the properties shall file and post as a tariff an adoption notice, numbered in its CTC(F) series, reading as follows:

“The (*corporate name of adopting carrier*) hereby adopts, ratifies and makes its own in every respect as if the same had been originally filed

and posted by it, all freight tariffs, rules, notices, concurrences, traffic agreements, divisions, authorities, powers of attorney or other instruments whatsoever, including supplements or amendments thereto, filed with the Board of Transport Commissioners for Canada by, or heretofore adopted by, the (*corporate name of old carrier*) prior to (*date*)”.

(2) **Amendment to tariffs showing adoption:** In addition to the above adoption notice, the new carrier shall immediately file a consecutively numbered supplement to each of the tariffs of the former carrier publishing the following notice:

“Effective (*date shown in adoption notice*), this tariff became the tariff of the (*corporate name of new carrier*) as per its Adoption Notice CTC(F).”

Such supplements shall contain no other matter and may be filed without regard to Rule 7(8). When a loose-leaf tariff is to be amended, a new page shall be inserted, containing only the Adoption Notice and shall remain in effect until the tariff is cancelled.

(3) **Subsequent amendments:** Succeeding supplements to adopted tariffs shall be numbered consecutively in the series of the carrier that issued the original tariff. Successive issues of the adopted tariffs shall specifically cancel the former tariff by CTC(F) number and name of carrier, but shall be numbered in the CTC(F) series of the new carrier.

(4) **Former carrier to be eliminated from tariffs:** Tariffs issued by other carriers, agents, corporation or association under power of attorney, in which the former carrier is named as a participating carrier, shall be amended to substitute the name of the adopting carrier by the following provision:

“The (*corporate name of adopting carrier*) by its Adoption Notice CTC(F) having taken over tariffs, etc., of the (*corporate name of old carrier*) the (*corporate name of adopting carrier*) is hereby substituted for the (*corporate name of old carrier*) wherever it appears in this tariff.”

(5) **New Powers of attorney and concurrences to be filed:** Powers of attorney and concurrences adopted by the new carrier must be replaced within one hundred and twenty (120) days by new powers of attorney and concurrences of the adopting carrier, upon which documents reference must appear as to the cancellation of the documents of the old carrier.

RULE 33—SUBSIDIARY RAILWAY LINES

(1) **Subsidiary lines included in parent company's tariffs:** Companies owning or controlling separately operated subsidiary lines may include the subsidiary lines' tariff matter in the parent company's tariffs.

(2) **Power of attorney required:** Each subsidiary line must execute power of attorney appointing the parent company its agent and attorney on the form prescribed in Rule 31(3) which may be appropriately modified if necessary.

(3) **Modification of power of attorney:** Powers of attorney shall be modified to authorize the parent company to give and receive concurrences on behalf of the subsidiary line and may include an authorization to the parent company to execute powers of attorney on behalf of the subsidiary line.

(4) **Powers of attorney and concurrences only through parent company:** A subsidiary line availing itself of the provisions of this rule, may not issue powers of attorney or concurrences direct to carriers or agents other than the parent company.

(5) **Parent company to show acting for subsidiary:** Parent companies executing powers of attorney and concurrences on behalf of themselves and their subsidiaries shall modify the wording of such documents to the extent necessary to show they are issued "for itself and as agent and attorney for" the subsidiary lines. Reference to the "P.A.-F." number should appear thereon.

(6) **Joint rates between parent and subsidiary:** Concurrences are not required from subsidiary lines in joint rates applicable between the subsidiary and its parent company when such tariffs are issued under the provisions of this rule by the parent company or a duly appointed agent.

RULE 34—SPECIAL RATE NOTICES

(1) **Issuance only between non-competitive points:** The regulations set out in this rule are prescribed by the Board under the provisions of Section 349 of the Railway Act which permits the issuance of special rate notices only between points which are not competitive. For the purposes of this rule, the term "competitive points" includes all points of origin and destination between which, under existing tariffs, traffic may be handled at equal rates, (subject to recognized differentials between rail and water carriers), singly or jointly by two or more carriers.

(2) **Conditions under which special rate notices may be issued:** Special rate notices may be issued under the following conditions only:

- (a) **Unexpected traffic:** To provide for the prompt shipment of any freight which may unexpectedly offer and for which no suitable rates are in effect, provided that the filing and publication of such rate be immediately proceeded with, except where the special rate notice has been issued to cover an individual consignment and the rate is not of a permanent character.
- (b) **Shipments on hand at destination:** To provide for the disposition of shipments which may have been forwarded to the wrong destination, or which have been refused by consignees, by returning them to the original points of shipment at less than the ordinary tariff rate, or by reforwarding at a reduced rate from the first to a second destination, in which case the published rate from point of shipment to the first destination, added to the reduced rate from the first destination to the second, shall not be less than the published rate from the original shipping point to the second or final destination.
- (c) **Sample or test shipments:** To provide for the carriage of sample or trial shipments for testing purposes with a view to opening up business.
- (d) **Livestock:** To provide for the removal of livestock by rail from exhausted grazing grounds to new pastures on the ranches of Western Canada, for subsequent reshipment to the market.

- (e) **Clean-up of grain storage:** To provide for the movement of grain that may remain in country storehouses or elevators at the cleaning up of the season's business preparatory to the reception of the new crop, at carload rate and reduced minimum weight. Not more than one such special rate shall be issued per annum for each storehouse or elevator for each variety of grain.
- (f) **Employee traffic:** To permit a carrier to carry freight for its own employees at free or reduced rates. Such special rate notices need not be filed with the Board.
- (g) **Charitable or relief purposes:** To provide for the carriage of supplies for charitable or relief purposes free or at reduced rates.

(3) **Numbering, Publication and Mailing:** Except as provided in paragraph (2)(f) of this rule, special rate notices shall be numbered consecutively with the prefix "CTC" and shall be published and mailed to the Director, Traffic Department of the Board, not later than the date on which the traffic is accepted for movement.

(4) **Posting of special rate notices:** Special rate notices shall be posted in accordance with the provisions of Rule 37.

(5) **Contents of special rate notices:** A special rate notice shall show reference to this rule and the particular paragraph thereof under which it is issued; the name of the party for whose account it is issued; an exact description of the shipment; the rate that would have been charged in the absence of the special rate notice; the effective date; and the date of expiration. Except where issued to cover a single consignment, special rate notices issued under paragraph 2(a) of this rule shall give reference to the CTC(F) number of the tariff in which the rate will be published or, if this is not possible, such reference shall be made on the cancellation notice, as provided in paragraph (6) hereof.

(6) **Cancellation:** Where the effective date of tariff publication of a rate contained in a special rate notice precedes the expiration date of such special rate notice, a cancellation of such special rate notice shall be filed giving reference by CTC (F) number to the tariff in which the rate has been published.

(7) **Reference in tariffs to former special rate notice:** When rates contained in special rate notices are subsequently published in tariff form, the tariff shall show reference to the special rate notice in which the rates were formerly contained.

RULE 35—

MASTER TARIFFS AND CONNECTING LINK PROVISIONS

(1) **Conditions governing publication of master tariff:** Where, because of a general change in rates, it is expedient to effect such change by the publication of a master tariff which is made applicable to other tariffs by connecting link provisions stated in connection with such other tariffs, such publication is permitted by this rule, subject to the following conditions:

- (a) **Incorporation in tariffs of changes provided by master tariff:** Tariffs governed by master tariffs shall be supplemented, amended or reissued as expeditiously as possible in order to incorporate therein the changes temporarily provided by the master tariff.

(b) **Only one connecting supplement to be in effect:** Where a tariff is connected to a master tariff or tariffs by supplement, only one such supplement shall be in effect at one time, setting out in clear language the specific application of the master tariff or tariffs to the tariff so supplemented. Rule 7(8) shall not apply to such supplement. (*see* also Rule 6(8)).

(2) **Connecting link supplements:** Connecting link supplements shall refer to the master tariff by CTC(F) number and shall state the application of such master tariff in substantially one of the following forms:

- (a) All rates herein are subject to the provisions of the master tariff;
- (b) All rates herein, except those specified are subject to the provisions of the master tariff; or
- (c) The following specific rates, or items, are the only rates or items subject to the provisions of the master tariff.

(3) **Specific joining provisions in tariffs:** Where specific joining provisions are incorporated in a tariff to connect it to a master tariff, the title page of the tariff incorporating such joining provisions shall state in bold type in the upper margin where such joining provisions are to be found in the tariff. Supplements to tariffs and individual pages of loose-leaf tariffs shall also state in bold type in the upper margin the extent to which the supplement or page is governed by such joining provisions.

RULE 36—DEPARTURES FROM REGULATIONS

(1) **Departure only by authority:** No departure from the provisions of these regulations is permitted except by special permission of the Board.

(2) **Application for relief:** If it is desired to depart from the provisions of these regulations, an application in substantially the following form may be made to the Director, Traffic Department of the Board:

(Name of Carrier or Agent)
Address and Date
Application No.....

Director,
Traffic Department,
Board of Transport Commissioners for Canada,
Ottawa, Ontario.

Authority is hereby requested to depart from the requirements of Ruleof Tariff Circular 1-A when taking tariff action as follows:

(Describe in detail, with an accompanying exhibit if desired, the proposed change or addition to be made in the tariff; the CTC(F) reference number; and the exact nature of the relief desired)

The following facts are submitted in justification of this application:
(State fully the circumstances relied upon as justifying the application).

Name.....
Title.....

In urgent cases, an application may be made orally but it must be supported by an immediate application in writing. Applications must be numbered consecutively and, if telegraphic advice is desired, the applications should so state.

(3) **Special permissions not continuous:** Special permissions may be used once only, unless it is specifically provided otherwise therein.

(4) **Reference in tariffs:** Where tariffs are allowed by special permissions to become effective on less than the prescribed notice as set out in Rule 8(1) reference to such special permissions shall be made on such tariffs in the manner provided in Rule 12(1)(c).

RULE 37—POSTING OF TARIFFS

(1) **Where tariffs to be posted:** Each carrier shall keep on file, in an orderly manner and open to public inspection during office hours, a copy of its tariffs at the following places respectively:—

- | | | |
|--|---|--|
| (a) Headquarters
Regional Offices
Division Offices
District Offices | } | All tariffs. |
| (b) Agency offices or stations except as provided in (c) | } | All tariffs applying from or to such offices or stations. |
| (c) Freight Agency Stations serving a population of 10,000 or less | } | Class rate tariffs applying from or to such stations, and such other freight tariffs as are frequently used. |

(2) **Information for occasional shipments:** Freight rate information that is required for occasional shipments, for which freight tariffs are not posted at the freight station concerned, will be secured by the agent from the Freight Traffic Official in charge of the territory.

(3) **Requests for tariffs not on file:** In the event that any freight tariffs not on file at a freight station are required on account of frequent movement, or if any shipper or consignee requests that a freight tariff be posted at a particular station, such freight tariff shall immediately be placed on file at that freight station.

(4) **Postings to be concurrent with filing:** Tariffs for posting shall be forwarded to the stations and offices concurrently with the forwarding of the tariffs to the Board for filing.

(5) **Public Notice:** A notice in large type shall be posted up in a prominent place at each office or station where tariffs are on file, specifying where they may be examined, and the agent or person in charge shall produce them for inspection on request.

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